

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

James and Jody Renbarger, Elise
Renbarger, and Carolyn Benjamin,

Plaintiffs,

vs.

Zavanna, LLC, and Zenergy, Inc.,

Defendants.

**ORDER ADOPTING STIPULATION
FOR DISMISSAL WITH PREJUDICE**

Case No. 4:12-cv-042

Before the court is a “Stipulation for Dismissal with Prejudice” filed on October 16, 2014. The parties stipulate and agree that plaintiff Elise Renbarger withdraws her claim for interest, costs, and attorney’s fees, that the action should be dismissed without prejudice, and that each party shall bear its own costs and attorney’s fees.

The court **ADOPTS** the stipulation (Docket No. 84) and **ORDERS** that (1) judgment of dismissal shall be entered for defendants for the claims resolved by the court’s order granting in part defendants’ motion for summary judgment (Docket No. 68);(2) judgment dismissing with prejudice the separate claim of Elise Renbarger for penalty interest, attorney’s fees, and costs shall be entered pursuant to the stipulation of dismissal; and (3) each party shall bear its own costs and attorney’s fees.

Dated this 17th day of October, 2014.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court